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Approved for use through 10/31/2002. OMB 0551-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PLANT PATENT APPLICATION (35 U.S.C. 161) DECLARATION (37 CFR 1.63)</b>		Attorney Docket Number	BROKAH-40124
		First Named Inventor	Josef Stefan Kohns
<b>COMPLETE IF KNOWN</b>			
		Application Number	/
		Filing Date	
		Group Art Unit	
		Examiner Name	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the new and distinct variety of:

Avocado Tree

plant named: 'Merenksy 2'

which is claimed and for which a plant patent is sought, the specification of which

 is attached hereto or  was filed on (MM/DD/YYYY) \_\_\_\_\_ as United States

Application Number: \_\_\_\_\_ and was amended on (MM/DD/YYYY) \_\_\_\_\_ (If applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claim, as amended by any amendment specifically referred to above.

I have accurately reproduced the plant to which this application applies.

 Said plant was found in a cultivated area (check this box for newly found plant only).

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.58, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Check Only If Priority Not Claimed	Certified Copy Attached?
YES      NO				
	South Africa		<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

 Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 21 minutes to complete. This will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/03 (03-01)

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**DECLARATION - Plant Patent Application**

Direct all correspondence to:  Customer Number  
or Bar Code Label  OR  Correspondence address below

Name **Aaron T. Borrowman**

Address **Kelly Bauersfeld Lowry and Kelley LLP**

Address **6320 Canoga Avenue, Suite 1650**

City	Woodland Hills	State	CA	Zip	91367
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Country	US	Telephone	818-347-7900	Fax	818-340-2859
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:  A petition has been filed for this unsigned inventor

Given Name	JOSEF STEFAN KÖHNE	Family Name or Surname
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Inventor's Signature	<i>Josef Stefan Köhne</i>	Date	24.10.2001
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Residence: City	Duvelskloof	State	South Africa	Citizenship	German
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Mailing Address **Westfalia Estate, P. O. Box 14**

Mailing Address

City	Duvelskloof	State	Zip	0835	Country	South Africa
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NAME OF SECOND INVENTOR:  A petition has been filed for this unsigned inventor

Given Name	Family Name or Surname
------------	------------------------

Inventor's Signature	Date
----------------------	------

Residence: City	State	Country	Citizenship
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Mailing Address

City	State	Zip	Country
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Additional inventors are being named on the \_\_\_\_\_ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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<b>PLANT PATENT APPLICATION (35 U.S.C. 161) DECLARATION (37 CFR 1.63)</b>		Attorney Docket Number	BROKAW-40124
		First Named Inventor	Josef Stefan Kohne
<b>COMPLETE IF KNOWN</b>			
		Application Number	/
		Filing Date	
		Group Art Unit	
		Examiner Name	

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Application Number [redacted] and was amended on (MM/DD/YYYY) [redacted] (if applicable).

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YES NO				
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

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(Page 1 of 2)

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Address **Kelly Bauersfeld Lowry and Kelley LLP**

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City	<b>Woodland Hills</b>	State	<b>CA</b>	ZIP	<b>91367</b>
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Country	<b>US</b>	Telephone	<b>818-347-7900</b>	Fax	<b>818-340-2859</b>
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Inventor's Signature	<i>Josef Stefan Köhne</i>	Date	<b>24.10.2001</b>
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Given Name	Family Name or Surname
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Inventor's Signature	Date
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Residence: City	State	Country	Citizenship
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Mailing Address

Mailing Address

City	State	Zip	Country
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